

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KUSHAL SHAH a/k/a GERRON  
LINDSEY,

Defendant Below-  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-  
Appellee.

§

§ No. 665, 2010

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§ Court Below—Superior Court

§ of the State of Delaware,

§ in and for New Castle County

§ Cr. ID 0002019769

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Submitted: February 25, 2011

Decided: April 11, 2011

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

**ORDER**

This 11<sup>th</sup> day of April 2011, upon consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's October 7, 2010 decision. The trial court did not err in concluding that appellant's sixth motion for postconviction relief was procedurally barred as untimely, repetitive, and previously adjudicated and that appellant had failed to overcome these procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Henry duPont Ridgely  
Justice